

Remarks

This paper is filed in order to make a preliminary amendment to the claims. This amendment is made without prejudice or disclaimer relating to the subject matter cancelled. Applicants expressly reserve the right to pursue the cancelled subject matter in subsequent applications at a later date. Applicants respectfully request that the claims as amended herein above be made of record and further substantive examination be conducted upon this amended set of claims.

I. Response to Restriction Requirement and Status of claims

Claims 1-13 were pending prior to the instant amendment. The claims were restricted as follows:

Group I: claims 1 and 2 drawn to proteins and polypeptides conjugated agents of interest;

Group II: claims 3-6, and 9 drawn to methods of treating neurological diseases;

Group III: claims 3, 4 and 7 drawn to methods of treating brain tumors or metastases;

Group IV: claims 3 and 8 drawn to methods of diagnosis;

Group V: claims 10-13 drawn to methods of treating lysosomal storage disease.

Applicants elect to prosecute the claims of **Group I**. This election is made *with traverse with respect to the restriction between Group I and Group V*. Applicants reserve the right to pursue the claims of the other groups in further divisional and/or continuation applications.

Upon entry of the foregoing election of Group I, Applicants cancel claims 1-9 herein without prejudice or disclaimer. Claims 10-13 remain pending. Claim 10 has been amended herein and as such has not be withdrawn, claims 11-13 have been withdrawn. Claims 14-28 are provided herein as new claims. These claims correspond to the claims of Group I and are fully supported by the specification as filed.

II. Support for New Claims

The new claims are fully supported by the specification as filed and the introduction of these claims does not add new matter to the application. Exemplary support for the new claims in the specification is indicated below.

Claim 14 is directed to a compound comprising a conjugate of RAP and an enzyme deficient in lysosomal storage disease, and claims 15, 16, and 17 define the enzyme with further particularity. These claims are supported by the original claims as filed (see e.g., claims 1 and 13) as well as the disclosure of the application, e.g., at page 11-12. New claims 18-20 define the type of linkage between the RAP and the enzyme and are supported by the specification at page 32-33. Claim 21 is directed to compositions in which the enzyme or the RAP is PEGylated; support for such subject matter may be found at page 33. Claims 22, 23 and 24 are directed to pharmaceutical compositions, including inhalable and intravenous compositions, that comprise the compounds of claims 14-20, such composition claims are supported by the disclosure at page 59 under section IX.

Applicants believe the instant amendment should facilitate a speedy prosecution of the instantly presented claims. While Applicants have cancelled claims 1-9 as originally filed, Applicants nevertheless reserve the right to pursue the cancelled subject matter in subsequent applications and the cancellation of the aforementioned claims is not intended to disclaim or otherwise prejudice the Applicants' right to pursue such further applications.

II. Traversal of the Rejection with Respect to Group I and Group V.

As amended herein the claims of Group I are directed to compositions that comprise RAP conjugated to an enzyme that is deficient in the lysosomal storage disease. The subject matter of the claims of Group V is directed to methods of using such compositions in the treatment of lysosomal storage disease. Applicants have elected herein claims directed to the products (*i.e.*, Group I). Once the product claims be found allowable Applicants submit that methods of use of those products in the treatment should be rejoined with the product claims as indicated by the Examiner on page 4 of the office action.

III. Declaration from Inventor

Attached hereto is a declaration from Dr. Todd Zankel, an inventor of the claims of the present application. The declaration provides additional data relevant to the subject matter of the presently amended claims.

IV. Conclusion

Applicants believe that all of the amended claims presented herein are in condition for allowance and request an early indication of such a favorable disposition of the case. The Examiner is invited to contact the undersigned with any questions, comments or suggestions relating to the referenced patent application.

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Respectfully submitted,

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